

## **804 KAR 4:400. Applications incorporated by reference.**

RELATES TO: KRS 241.060(1), 243.090, 243.380, 243.390, 243.630

STATUTORY AUTHORITY: KRS 241.060(1), 243.380, 243.390, 243.630

NECESSITY, FUNCTION, AND CONFORMITY: KRS 241.060(1) authorizes the board to promulgate administrative regulations regarding matters over which the board has jurisdiction, including applications for licenses. KRS 243.380(2) and 243.390 require the board to promulgate an administrative regulation to establish the license applications. KRS 243.630(5) and (6) require licensees to apply in writing for department approval of the transfer of a license or a licensed business to a different premises or for the transfer of ten (10) percent or more ownership interest to a new person or entity. This administrative regulation prescribes the license applications utilized by the department.

Section 1. Online Application for Alcoholic Beverage License. (1) Except as established in Section 3 of this administrative regulation. An applicant for an alcoholic beverage license shall complete the online application process and submit it electronically at the Online eServices Portal: <https://dppweb.ky.gov/eservices/>.

(2) To renew a license pursuant to KRS 243.090 and 804 KAR 4:390, a licensee shall complete the online renewal application process and submit it electronically at the Online License Renewal Portal-KYBOS: <http://abc.ky.gov/Licensing/Pages/default.aspx>.

Section 2. Transfer of Ownership Interest Application. (1) A buyer seeking to acquire, or a licensee seeking to transfer ten (10) percent or more ownership interest in a licensed business shall complete and submit the Transfer of Ownership Interest Application for ownership interest transfers between legally recognized entities, where the licensee will remain the same.

(2) Although a licensee is not required to file an application for ownership interest transfers of less than ten (10) percent, a licensee shall notify the department in writing of all ownership interest transfers of less than ten (10) percent of the licensed business.

Section 3. Written Application for Alcoholic Beverage License. If unable to complete an online application, an applicant shall complete and submit the appropriate application for the license type listed in subsections (1) to (8) in this section:

- (1) Basic License Application;
- (2) License Renewal Application;
- (3) Transporter's License Application;
- (4) Out-of-State Supplier License Application;
- (5) Special Agent's or Solicitor's License Application;
- (6) Special Temporary License Application;
- (7) Additional License(s) Application; or
- (8) Transfer of Ownership Interest Application.

Section 4. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "Basic License Application", June 2017;
- (b) "License Renewal Application", June 2017;
- (c) "Transporter's License Application", June 2017;
- (d) "Out-of-State Supplier License Application", June 2017;
- (e) "Special Agent's or Solicitor's License Application", June 2017;
- (f) "Special Temporary License Application", June 2017;

- (g) "Additional License(s) Application", June 2017;
- (h) "Transfer of Ownership Interest Application", June 2017;
- (i) "Online eServices Portal", June 2017; and
- (j) "Online License Renewal Portal-KYBOS", June 2017.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Alcoholic Beverage Control, 1003 Twilight Trail, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the department's Web site, <http://www.abc.ky.gov/>. (33 Ky.R. 1218; 1537; eff. 1-5-2007; 35 Ky.R. 1594; 1760; eff. 3-6-2009; 40 Ky.R. 444; 811; eff. 11-1-2013; 1450; 2131; eff. 4-14-2014; 41 Ky.R. 333; 762; eff. 10-31-2014; 42 Ky.R. 527; eff. 11-6-2015; 43 Ky.R. 334, 546; eff. 11-4-2016; 44 Ky.R. 341; 731; eff. 11-3-2017.)